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REPATRIATION: UNDER WHAT CONDITIONS IS IT THE MOST DESIRABLE SOLUTION FOR REFUGEES? AN AGENDA FOR RESEARCH¹

Barbara E. Harrell-Bond

...What excites me...is the presence of refugees amongst us who have arrived here straight from refugee camps. It strikes me as quite extraordinary that we should be hailing this as such an innovation. But innovation it is. I would hope that experts will never again have the effrontery to sit down together to discuss refugees without refugees being present, but I doubt it. Refugee work remains, perhaps, the last bastion of the ultra-paternalistic approach to aid and development. It is hard to think of another area where the blinkered nonsense of the "we know what's best for them" approach survives so unchallenged.

Mark Malloch-Brown, as quoted in Harrell-Bond and Karadawi (1984)

I believe that if you want *political* action, you must get governments together. Their deliberations will be the springboard for action. In my opinion, it is quite unrealistic to expect them to meet together with individual refugees (or groups representing refugees) and NGOs [non-governmental organizations]. Where the adoption of recommendations for political action is concerned, it does not work like that. Eagles don't consort with sparrows. It's a law of nature. Anon.

...Thanks for your copy of the [above] letter. Eagles: birds of prey, prone to wander alone, high above the world of everyday events, remote, lofty and unadapted to human civilisation. Sparrows: friendly, sunny, engaged birds, spending time in social intercourse, feet on the ground, contributing to variety of life and human happiness.

INTRODUCTION

Of the three "durable" solutions to refugee situations—voluntary repatriation, integration, and resettlement—the Office of the United Nations High Commissioner for Refugees (UNHCR) proclaims voluntary repatriation to be the most desirable. Since the

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early 1980s, this office has made the *promotion* of voluntary repatriation a major emphasis of its work—even where the conditions which led to the creation of refugees have not changed.

Every refugee should have the right to return voluntarily to his homeland. However, given the dynamic nature of society as well as of individual personality, the reintegration of returnees into the home society may be almost as complicated as the experiences of adjusting to a new culture while in asylum. It is likely that the longer a refugee remains in exile, the more difficult it will be to go home.

There is an urgent need for experienced scholars to turn their attention to the study of all aspects of forced migration but, as this paper argues, research is especially urgent to test the assumptions which have been the basis for the policy of promoting repatriation. Some of these are set out in this essay.

Why have so few academics conducted studies of forced migration? In 1981 Professor Ron Baker raised the same question:

May it be that in many minds (and within established university departments) refugees are seen as immigrants with little distinction drawn between them? Or could it be too difficult an area to research, involving a multidisciplinary approach which academics tend to dislike? Or maybe it has little kudos attached to it and attracts few research grants, hence it is not useful for promotion purposes? Perhaps it is also too painful a subject for social scientists to get close to? One can only speculate as to the answer. (Baker, 1983: vii)

Studies are urgently needed based upon field research rather than relying only on "expert" interviews and existing public documents produced by agencies. Academics who write about refugees too often employ terms used by agencies—e.g., integration, push-pull factor (see Salt, 1987)—as concepts without carefully defining them. "Armchair" academics tend to place an uncritical reliance on agency literature as sources without actually studying refugee situations. The particular challenge of the study of forced migration is that this field requires coherent and integrated research strategies which incorporate the knowledge, methods, theories and concepts of a number of disciplines.

The focus of this essay is primarily on refugees in Africa where UNHCR has been the most active in promoting repatriation, but the need for research on this subject, as with all issues affecting refugees, is global. In Africa, in addition to mass expulsion (e.g., Ghanaians from Nigeria), abductions (Ugandans from Kenya), *refoulement* (Kenyans from Tanzania) (Crisp, 1984), the 1980s have seen a number of examples where states have acted unilaterally (Daley, 1987) or in cooperation with UNHCR (through tripartite agreements) to repatriate refugees back to their countries of origin even though the situations which gave rise to their exodus have not altered. These include Ethiopians and Eritreans from Djibouti, the Burundi from Tanzania (Daley, 1987), Mozambicans from Malawi, and Ethiopians from Somalia.

These repatriations have either been described as "voluntary" or the refugees who were removed have been described as "illegals," i.e., economic migrants. In the case of the Burundi, they were described as smugglers (Daley, 1987). None of these situations has been studied by independent academics, so no data exist either to corroborate or refute assertions

that the repatriations have been voluntary, or that the security of those who have been returned has been realized. There are, however, as this paper sets out to demonstrate, many grounds for serious concern.

Historians at least have written about *involuntary* repatriation after the Second World War (e.g., Boshyk, 1988; Potichnyj, 1987). In the case of voluntary repatriation in Africa, as noted, there are *no* published research data² which could be used to test the assumptions which govern current policies and practices of governments and international agencies.

Historians rely on the accounts of survivors and upon documents which, because of the passage of time, are now open to researchers. There are many obstacles to conducting independent studies of current refugee situations. Researchers have often been denied access not only to documentation, but also been prevented from interviewing refugees.³ The publication of research funded by some governments which do not practice freedom of information is subject to censorship. Researchers who work for international organizations are similarly constrained.

While in principle it is common sense to believe that the "best place for refugees is home," this paper questions whether this can ever be the case when conditions which led to exodus have not altered. It also questions certain other assumptions which have not been subjected to independent examination and, by implication, suggests important areas for field research.

Since Baker's (1983) remarks about the lack of scholarly attention to refugee issues, there has been a growing number of students who have taken an active interest in refugee research (See the RSP *Directory*, 1987). But although some academics have begun publishing in this field, there continues to be a serious lack of basic literature.

A more serious obstacle to the development of the study of forced migration is a disturbing tendency for many of those who have begun to publish on refugee issues to place an uncritical reliance on the statements, position papers and other literature produced by humanitarian agencies, despite the glaring absence of findings from independent field research which are needed to substantiate them. As a result, these have been incorporated into academic writing and publications, and researchers have given them credibility rather than questioning or examining the assumptions and articles of faith that dominate the refugee regime.

The policy of promoting repatriation is only one example. Underlying the arguments for this policy is the denial that a large proportion of the millions of people who have sought asylum outside their countries are *genuine* refugees whose human rights UNHCR has a responsibility to protect. As will be shown, some academics have added their voices to those of the "eagles" to promote this dangerous belief, thus contributing to an ideology which is seriously eroding the power of the international conventions, originally designed to ensure that host governments provided safe asylum to refugees. Cuny and Stein (1988) actually suggest that some regions which are still subject to what is termed "low intensity conflict" are perhaps "safe enough" for most refugees to return.

In the light of the international refugee crisis, academic research should play a more positive role. The basic trend on each continent is towards crisis and confrontation reflecting narrow national interests. Nearly all governments of the world are becoming in-

creasingly restrictive toward refugees and are interpreting international refugee law as it suits them.

CONSORTING EAGLES

As a creation of the governments, the UNHCR has never been able to act independently. The donor governments—which exercise the greatest power over refugee policy—have become increasingly frustrated over the growing cost of supporting the budget of this organization and have been seeking a means of reducing their obligations. In their efforts to find ways to reduce costs, the promotion of repatriation has been seized upon as the appropriate solution. Returnee programs, as organized by UNHCR, are cheaper and shorter-term in contrast to assistance programs in the host country, and are believed to promise—wrongly, it will be argued—to put an end to the refugee problem.

The emphasis of the donor governments on the perceived failure of UNHCR approaches which are expensive and have not succeeded in providing the basis for permanent settlement of refugees ignores the reality that, in Africa, most refugees are already integrated (in some manner) into the host economy without UNHCR's assistance (Clark and Stein, 1984). The emphasis upon promoting repatriation has the effect of reducing the importance of integration as a durable solution; even successful UNHCR assistance programs in host countries are thus endangered. The approach to assistance which would also strengthen the host economy—as recommended by the Second International Conference on Assistance to Refugees in Africa (ICARA II) in 1984, and which received only limited response from donors—is unlikely ever to attract significant support.⁴ Current efforts to get refugees back home will further encourage the practice of cutting aid programs to refugees in countries of asylum, a tactic which has already been employed to promote repatriation (See Crisp, 1984; Harrell-Bond, 1986; Ruiz, 1987).

In the formulation of this policy there is little evidence to suggest that refugees have first been consulted, either on an international or a local level. Arrangements to ensure that, before making a decision to repatriate, refugees have access to sources of information concerning conditions in their home country which they can consider credible, have been unsatisfactory. In some cases, this right has even been denied (Harrell-Bond, 1986: 199). With the current emphasis on mass exodus, there is also an emphasis upon mass repatriation, with the rights of refugees as individuals severely threatened: "A somewhat less individual and less voluntary standard has been accepted and lauded" (Cuny and Stein, 1988; see also Hansen, 1988). Although refugees are entitled to the right to return to their places of origin, "ideally to their own former homes, their villages, their land" (UNHCR, 1985), programs which have been implemented, for example, in Ethiopia, have not been able to provide such guarantees.⁵

Host governments obviously have an interest in reducing the numbers of refugees within their borders, especially if the methods of encouraging their removal are sanctioned by the very governments which formerly set themselves up as the "keepers of the human rights flame," and who have acted as the self-appointed watchdogs and critics of standards of observing the refugee conventions. Tripartite agreements among the governments concerned and UNHCR, based upon the assumption that conditions are acceptable for the re-

turn of refugees, may encourage host governments to invoke the cessation of refugee status, thus seriously endangering the situation for refugees in countries of first asylum. (Under its mandate, UNHCR also has the power to invoke the cessation clause.) Such tripartite agreements encourage the use of refugees as pawns in interstate relations.

Those governments whose oppressive practices have been responsible for mass exoduses, and which are still in power, have vested interest in the return of refugees. The situations which led to most large-scale exoduses have not changed. Even if one agreed with the theory that the cause of many contemporary refugee situations is a chain of events (beginning with the poverty which creates political instability), leading governments to employ draconian measures to retain power (Kibreab, 1985), more than massive financial aid would be required to remove the root causes and to protect returnees.

Many host governments have had reason to fear that a country which produces refugees may use the exodus people as the means of infiltrating another country with spies or "fifth columnists." A country which has produced refugees, whose government is under attack by armed opposition movements, has more reason to fear that the repatriation of its people constitutes a security threat. Even in 1950-51, when Bulgaria expelled Turks and there was no war, in determining where the refugees would be settled Turkey took into consideration the possibility that among their own people were subversive elements (Kostanick, 1957: 120).

To give another recent example, many would argue that today Kampuchea enjoys the best government it has had for several decades. What could reassure the Kampuchean government, which is under siege from attacks by armies of the Coalition government, that returning civilians who have been living under Coalition government control in the camps on the Thai/Kampuchea border do not include subversives? What chances would returnees have for life free from surveillance in Kampuchea? Ethiopia has attempted to resolve this problem. Its citizens who live in rural areas are, to an increasing extent, under the control of the peasant associations. The leaders of these peasant associations in the rural areas, and of the *kabele* in the cities and towns, serve as the government's eyes and ears: the basis for the prevention of subversion (Clay and Holcomb, 1985).

Understandably, dependent as it is on the states which fund it, UNHCR cannot act as a neutral body with the necessary freedom of action to represent single-mindedly the interests of refugees when these interests do not conform with those of the states supporting it (See, for example, Woodford, 1988). Given that donors believe UNHCR-sponsored programs have failed to integrate refugees into the social and economic fabric of the countries of first asylum, why do they assume its involvement in the reintegration of returnees will be more successful? As would be true of any outside organization, UNHCR lacks the capacity to superintend the social and economic reintegration of returnees into their home society, and has no power to ensure their protection (Harrell-Bond and Kanyeihamba, 1986; Ulf sax, 1986).

Fairly widespread international approval of UNHCR's current policy of promoting repatriation came about as a direct result of the July 1985 San Remo Round Table on Voluntary Repatriation, which was attended by "government ministers, jurists and officials of Governments and intergovernmental organizations who were experts in refugee matters" (Coles, 1985). Although it was said that participants attended in their personal capacities,

and that the discussion was on an unofficial and non-attributable basis, the purpose was to submit their observations and conclusions to the executive committee of UNHCR, whose deliberations determine UNHCR policy.

Although the San Remo report emphasized that efforts to promote voluntary repatriation should not "weaken in any way the fundamental importance of not forcing refugees to return against their will," and that it "did not deny thereby the necessity in *some situations* of settling refugees in another country," the view of the round table was that "*international co-operation and solidarity [among the "eagles"] should be directed, first and foremost, in favour of the solution of return*" (Coles, 1985).

REPATRIATION AND THE ROLE OF THE UNHCR

The root causes of refugee movements are complex and varied. The office of UNHCR was established to protect refugees, and its work was to be "humanitarian." It was not established to address the question of how to eliminate the refugee problem, which, by definition, must always require major political action. The role for which it was established was to protect refugees and to facilitate the finding of a place of permanent settlement for them. Yet today, in order to carry out the donors' wishes to promote voluntary repatriation, UNHCR must become directly involved in initiating political action through tripartite agreements which have the objective of reducing the numbers of refugees.

While the experience of individuals varies widely in terms of the intensity of the conditions which were the immediate cause of exodus, and the degree to which an individual has had control over the timing and direction of his flight, today it is generally assumed that no refugee leaves his homeland without the expectation that he will one day return.

This has not always been the case. The office of the United Nations High Commissioner was born in the climate of the cold war immediately following the Second World War, when forcible repatriation did take place as a result of negotiations between states and against the will of the victims, but the political repercussions following these gross violations of human rights resulted in a change of policy. From the point of view of the Western governments which received them, refugees from the Eastern Bloc were viewed as welcome evidence of the failure of the socialist system. As Van Krieken (1988, quoting Holborn, 1975) has pointed out, in the 1940s

...the concept of repatriation was surrounded by question marks...in fact, both the United States and France tried to torpedo the inclusion of 'repatriation' as a possible task of the High Commissioner for Refugees....For the West it was virtually inconceivable that refugees from e.g. the USSR would be willing to return home, or should be forced to repatriate. Nor was the West able or willing to conceive of refugee problems outside Europe.

As Van Krieken goes on to say, the result was that the connection between UNHCR and repatriation was not at all clear, with the wording of Article 1 of the statute of the office of the high commissioner being "unnecessarily complex and therefore disappointing." The emphasis of the statute is on "assisting Governments and, subject to the approval of

the Governments concerned, private organizations to facilitate the voluntary repatriation of such refugees, or their assimilation within new national communities..." While, according to Van Krieken, the wording of Article 8(c) of the statute allows the conclusion to be drawn that the high commissioner has legal authority to involve himself in repatriation issues, he notes that neither the 1951 Refugee Convention nor the 1967 Protocol (the latter enacted in recognition that the "place of action concerning refugees would be outside Europe") makes any mention whatsoever of repatriation or of voluntary return.

As noted, during the period preceding and following the drafting of the 1951 convention and the establishment of the office of UNHCR, refugees were a European problem which was resolved within the context of the politics of an intensifying cold war (Harrell-Bond, 1985). The general mood at the time of the drafting of the 1951 Refugee Convention was that although voluntary repatriation should be a normal permanent solution, it was to be very much an individual matter. Only when an individual took the initiative, and explicitly expressed the desire to return, should the high commissioner for refugees take any action to assist such a person to return to his home country. It is worth emphasizing that repatriation is only mentioned in the convention in negative terms, i.e., Article 31 prohibits the expulsion or forcible return ("*refoulement*") of refugees. For example, despite the enormous political obstacles which were encountered within the United Nations following the Korean War, considerable efforts were made to ensure that neither Korean prisoners of war nor Korean civilians who had been displaced by the war were returned home against their will.

The Organization of African Unity was founded in 1963 by governments which had only recently achieved independence. Refugees then existing or who were anticipated were the product of continuing anti-colonial wars; therefore those who drafted the 1969 OAU Refugee Convention assumed that refugees would want to return home, and the convention makes explicit reference to repatriation. The need to confirm its voluntary character was emphasized, and also that every possible assistance should be given by governments, voluntary agencies, and international and intergovernmental organizations to facilitate the refugees' safe return.

REFUGEES: FROM INDIVIDUALS TO MASSES

Elsewhere this author has discussed the problem of the false premises upon which much humanitarian assistance is based and noted how Western notions of compassion tend to be ethnocentric and paternalistic: "It is the moral loading of humanitarian assistance which denies the need for review and prevents scrutiny" (Harrell-Bond, 1986: 26). There is need for researchers to examine and document not only how lack of deep knowledge of other societies, but differences in language, class, culture and negative stereotypes, influence policies and practices concerning today's refugees. Why, for example, is it more common to speak of "mass exodus" today than it was during the period following the Second World War?

Despite the greater number of refugees existing at the time of its enactment, the 1951 Refugee Convention was concerned with individual human rights. Although one UNHCR poster continues to remind the public that "Einstein was a refugee," the great

majority of contemporary media and agency images give the impression that refugees are undifferentiated "masses" or "flows," and no longer comprise groups of individuals with personal histories, skills and aspirations, with varying capacities for strategic planning and decision-making, with different human needs or feelings such as hope, joy, despair and pain (Harrell-Bond, 1986: 205-06).

Although all statements concerning the number of refugees, i.e., people who have crossed borders to seek asylum, are estimates and can be criticized as subjective (Tandon, 1984), statements that the number of refugees today is "unparalleled" are clearly false (Gordenker, 1987: 52). Post-World War II Europe accommodated far greater numbers than any source claims exist today. As Cuny and Stein (1988) more accurately put it: "A prominent feature of today's refugees is that there are not necessarily more refugees; rather that there are more without solutions or awaiting solutions."

Perhaps it should not be surprising that international agencies should apply a different and largely impersonal response to the refugee crises in "developing" countries. Today, in most regions of the world the majority of refugees for which international organizations have responsibility represent large sections of the population of entire *nations*, each with their own language, culture, and economic systems. The Afghans are only one example. As the high commissioner put it, "among today's refugees we often find entire communities who have moved en masse and for whom solutions must be found *not individually* but as groups" (Hocke, 1986, emphasis added).

The language used in the literature produced by humanitarian agencies in discussing refugee issues reflects attitudes and beliefs which in turn are used to justify action. Along with the shift away from concern with the welfare of the individual to the emphasis upon "mass exodus," we learn from this literature that refugees can be manipulated by the "pull factor," suffer the "dependency syndrome," and, most dangerous of all in terms of promoting further negative attitudes towards refugees, we learn that many are not refugees at all, but economic migrants, opportunists, even "fortune seekers" simply looking for a better life (Hocke, 1986; Waldron, 1987). As we have seen, some academics—without data to back up their statements—have parroted these views. However, as Salt (1987), a student of migration, has noted, although our explanatory theories for such movements are inadequate, "the days of crude economic determinism in explaining international migration are well past."

THE EROSION OF THE DEFINITION OF REFUGEE STATUS

When refugees begin arriving in large numbers, most African governments grant refugee status en masse to all those of the particular nationality concerned. Although the government is responsible for registering refugees at the point of entry and for providing them with identification cards, logistical problems, lack of funds and of staff are obstacles to the efficiency of this process. If Sudan is a representative case (and there is no data to demonstrate that it is or is not) then, in reality, only a minority of African refugees—even those who live in refugee camps—have any proof that they have been granted asylum (Harrell-Bond, 1986).

The fact that the majority of refugees is not living in assisted camps, but is "spontaneously settled" has been recognized (Clark and Stein, 1984). It is these "spontaneously settled" or unassisted refugees who are at the greatest risk when the eagles have consorted, i.e., a tripartite agreement has been signed, and the governments and UNHCR have decided that repatriation is possible (Hansen, 1979). In Djibouti, for example, all those refugees not living in camps were redefined as illegal migrants for whose protection UNHCR had no responsibility (Crisp, 1984; *Refuge*, 1987). In southern Sudan at least one protection officer denied that UNHCR had any responsibility for self-settled refugees (Harrell-Bond, 1986).⁶ However, in 1987 in Tanzania (Daley, 1987), when the government began handing spontaneously settled refugees over to the Burundi government, UNHCR quickly responded by "encouraging a census and the issuance of identity cards" (Daley, 1987).

It is unlikely that those responsible for drafting and approving the humanitarian principles enshrined within the 1951 Refugee Convention ever properly appreciated the possibility that, once the European refugee crisis had been resolved, the United Nations would be called upon to apply the convention again to such large numbers—much less to apply its principles universally. (Initially, UNHCR was established for a period of only five years.) As Cuny and Stein (1989) neatly sum up the current dilemma: "one's conception of the problem depends on the types of refugee movements one is examining." Today's refugees are not Europeans, sharing the culture and religion of the rich countries who believe themselves to be responsible for the solutions.

However, as Gordenker (1987) notes, since 1956 UNHCR has been "campaigning" to *stretch* the definition of refugee status beyond the confines of the 1951 convention, with its requirement of proof of individual persecution, to encompass the realities of the causes of mass movements. The drafting of the 1969 OAU Convention, which relied "on the advice and participation from UNHCR" (Gordenker, 1987: 41), was the culmination of these efforts to include *prima facie* evidence of refugee status. As Gordenker puts it,

The result was the OAU Refugee Convention...which generally follows the UN Convention but in one important respect far surpasses its range. It adds to the definition of refugees in the Convention those persons who, 'owing to external aggression, occupation, foreign domination or events seriously disturbing public order' in the home country are compelled to flee abroad... The broader concept has also received favourable attention from many international officials concerned with refugees; they regard it as something of a model for the future expansion of formal definitions. (Gordenker, 1987: 41)

There are obvious advantages to people who have been caught up in crises to be granted asylum without being required to prove they have been individually persecuted. UNHCR not only made efforts to broaden the definition of a refugee through helping to formulate the OAU Convention, it has also used this achievement to convince other governments to apply OAU standards outside the region. Therefore, it is disappointing to find a recent denial of the basis of the OAU Convention in the 1985 UNHCR document on protection, which states that:

the majority of today's refugees are persons who do not fall within the "classic" refugee definition in the UNHCR statute. Rather they are persons who have fled their home country due to armed conflicts, internal turmoil and situations involving gross and systematic violations of human rights. (as quoted by Cuny and Stein, 1988)

Cuny and Stein support UNHCR's *volte face*: "Most refugees are externally displaced persons rather than 'classic' refugees. They are not necessarily fleeing a controversy that personally involves them." Moreover, it is doubtful that the conditions in Europe after World War II differed greatly. Refugees then were also fleeing armed conflict and internal turmoil involving gross and systematic violations of human rights. Very few were fleeing a controversy that personally involved them.

FROM PERMANENT SETTLEMENT TO LOCAL INTEGRATION

Is it the "massive" and seemingly intractable nature of the refugee problem today which has led to such enthusiasm for the promotion of repatriation? As Stein (1986) observes, "Such numbers have been seen before, but rarely in so many different situations at the same time with the refugees lingering in limbo for so long." Those governments which have traditionally provided the greatest amount of direct financial support to the office of the United Nations High Commissioner for Refugees have also assumed the right to make policy. The evidence suggests that it is the perception of the donors—that assistance policies have failed—which has led to the determination to eliminate the refugee "problem" through the promotion of voluntary repatriation.

The independence wars in Africa created large numbers of refugees, but the vast majority of them were accommodated in neighboring countries. As Stein (1986) noted, at the time "most countries maintained a high degree of solidarity with refugees... Refugee problems then were not necessarily of long duration." Initial practice was based on the assumption that their presence in a host country was temporary. Thus, refugees became objects of relief programs which were also expected to be temporary—until the political crisis which created the conditions leading to their exile was resolved and they could return home. It became obvious from the perspective of donor governments that as far as refugees in the developing world were concerned, permanent (third country) resettlement was no longer a reasonable option for all but a minute number of refugees. Very special conditions gave rise to the massive resettlement program for refugees from Southeast Asia; it is unlikely that a similar situation will arise in the foreseeable future unless, of course, comparable numbers of white South Africans require asylum.

However, even when it had become clear that the "place of action," as Van Krieken (1988) puts it, would be outside Europe in Asia and in Africa, there was resistance within UN circles to the office of the UNHCR extending its activities beyond its major function of protection, and involving itself in material assistance programs for refugees.⁷ Major programs of assistance in Asia, for example, were managed by other intergovernmental and international voluntary organizations.

Accepting that most refugees were likely to remain in their country of asylum for a protracted period of time, refugee policy shifted from relief and maintenance to programs

which were believed to lead to "durable solutions," i.e., local "integration," and UNHCR began to play the major role in funding and administering such assistance programs.

The objective of this approach to assistance was to permit refugees to participate on an equal footing with their hosts in the economic and social life of their new homeland. For the donors, such "self-sufficiency" implied the point which would permit them to withdraw aid; for the refugees, it implied permanent resettlement within the host country. The mechanism to accomplish these objectives was that assistance should be provided to refugees by establishing planned rural settlements (Chambers, 1979). There is a host of reasons why such a policy failed (Hansen, 1981; Harrell-Bond, 1986).

The majority of refugees—however long they had lived in exile—would be unlikely to accept the idea of permanent incorporation into the host society. They do, however, want to earn their own living and retain their autonomy (Francis, 1987; Harrell-Bond and Kanyehamba, 1986; Kuhlman et al., 1987). Since 1985, "participation" has become a buzz word within refugee agency circles (Clark, 1985) but the modalities of how to operationalize this approach have yet to be mastered.

The planned rural settlement represents a special case of a long-term development problem. Traditionally, aid for refugee assistance is earmarked, and projects are not incorporated into the overall development plans of most host governments. Refugee agencies are rarely equipped to undertake development work. Moreover, undertaking even the limited development activities essential to the establishment of a camp has placed UNHCR in conflict with other UN agencies over "turf." In addition, providing such assistance to refugees which excludes their hosts exacerbates tensions and renders the refugees' life even more insecure (Harrell-Bond, 1986: Chapter 4).

Refugees are usually regarded by governments as security or foreign policy issues, and they do not place responsibility for the administration of refugee programs under those ministries concerned with development. For governments, the policy of placing refugees in planned settlements represented a convenient means of ensuring security. As a result, in the Sudan at least, the imposition of such schemes encouraged the idea that the place for refugees is in a camp, thus denying them one of their rights—the freedom of movement (Ramaga, 1985; Daley, 1987).

Host governments have many reasons for objecting to the presumption that they would willingly accept the permanent integration of refugees (Stein, 1986). From their point of view, integration is associated with assimilation and permanence, and like the refugees, they are most likely to resist any policy which appears to be promoting the absorption of the refugee community into the country of asylum.

Host governments seem to have also overlooked the fact that only a minority of refugees in Africa are objects of aid programs. Most are already surviving by dint of their capacity to co-exist with local populations under extremely difficult conditions (Francis, 1986). They are also unaware of the economic benefits which refugee populations can bring to their economies (Kuhlman et al.). They are in a weak position vis-a-vis the international community, which believes itself to be the main source of funding, since they are not able to quantify the costs of the services they provide to all refugees, and thus demand the necessary assistance to compensate these costs. If such data were made available by researchers, some governments might begin to view an influx of refugees as an

opportunity, rather than as a problem (Kursany, 1985; Harrell-Bond, 1986: 330-31; Kuhlman et al., 1987).

Ironically, and whether or not they thought of themselves as being permanently settled, in most host countries in Africa the vast majority of refugees—the spontaneously settled—were already establishing themselves within the economy of their hosts (Clark and Stein, 1984; Francis, 1987). Greater knowledge of how these refugees were managing could have informed policy and allowed the international community to improve its approach to assistance, so that the same goal was achieved without using the term "integration," which created so much resistance among governments and refugees (Kursany, 1985; Kuhlman et al., 1987).

Within the humanitarian agencies there is keen awareness of the failures of the planned rural settlement policy, but a very general explanation for these failures is that the fault lies not with the policy but with the refugees themselves (Harrell-Bond, 1986: 2-6, 10-13; Waldron, 1987; De Waal, 1988). As far as the donors were concerned, however, the effectiveness of UNHCR's assistance policy in developing countries was assessed in terms of its cost-effectiveness. From their point of view, integration through planned rural settlements as a "solution" was viewed as a magnificent failure. The continuing and escalating costs encouraged donor governments to push UNHCR towards finding another solution.

Reporting on the mood at the beginning of the 1980s, Stein (1986) pointed out that over

the past decade the total UNHCR budget increased more than sixtyfold, to approximately \$500 million in 1980 and 1981...And for the World Food Programme (WFP) "by far the greatest proportion—\$108 million or about 34 percent in 1983—of WFP emergency assistance is directed to refugees...To the donors, larger assistance budgets...raise the spectre of an endless drain of resources, of expanded burden sharing that goes on and on with no solutions in sight.

The UN Undersecretary General Farah explicitly articulated these fears:

Donors...have expressed concern over the slow progress being made towards finding permanent solutions to the refugee problems. There is a feeling that unless determined efforts are made in this direction, refugee programmes will become an end in themselves, rather than a means to an end. (Farah, 1983, as quoted by Stein, 1986)

THE CONTAGION OF RESTRICTIONISM

The development of policy to promote repatriation has not only been influenced by concern over the ineffectiveness of approaches to assisting refugees in the poorest countries of the world. It was feared that the flow could not be contained and that Europe would be inundated. During the 1980s the numbers of refugees arriving by sea or by air to claim asylum in the West greatly increased. Although the numbers of asylum seekers in Europe and North America are inconsequential, their arrival has fueled xenophobia

(Jaeger, 1985). The reaction has been for governments to throw up the barricades to prevent asylum seekers of non-European origin from entering their countries (Zucker and Zucker, 1987). Expressing concern over the deterioration of the values which "underpin our democratic system," the high commissioner rightly noted how these values are now being selectively, rather than universally, applied:

When the Office of the United Nations High Commissioner for Refugees was set up in 1951, the backdrop was refugee movements from eastern Europe. These refugees were received, integrated and resettled mainly in the western industrialized States. The wave of sympathy and the ancient cultural and ethnic affinities between the populations of the receiving countries and these European refugees made their reception and integration relatively smooth...

Liberal asylum traditions have been jolted by the new reality of asylum seekers coming directly from far-away lands through the development and proliferation of air transportation systems... There is a growing perception in western countries that their generosity in providing homes not only to refugees emanating from their own region, but also to large numbers of refugees from other regions, is being overstrained... (Hocke, 1986)

The introduction of practices such as detention of asylum seekers, and the fact that governments can unblushingly describe such policies as "humane deterrence," demonstrate how dramatically accepted standards of human justice have fallen. The high commissioner for refugees, noting the "growing negative public opinion in the West" vis-a-vis non-European refugees, has warned against the dangers which follow actions aimed to restrict the number of asylum seekers in Europe.

Many governments in the West have used this development to adopt restrictive practices which have a tendency to spread like a contagion. Humanitarian principles so carefully nurtured in the West over the past several decades stand threatened. Basic standards are being lowered. The plight of refugees is being used as a political tool in domestic party politics. In this process, the fundamental considerations of humanity which serve as the basis for all humanitarian activities are being devalued. (Hocke, 1986)

Given this expression of concern, it is surprising to find the high commissioner himself apparently supporting those who are determined to keep non-European refugees out of Europe. He refers to what he terms "two-step refugee flows," i.e., the practice of refugees moving from their country of first asylum "because of unsatisfactory conditions" to another country outside the region, "where conditions are considered satisfactory." (There is a tendency in Europe to regard refugees who leave their country of first asylum as economic migrants, which one would assume is in violation of the 1951 Refugee Convention.)

In such situations too, it is of crucial importance that States exercise a political will to look into the "root causes" of the second movement while at the same time

making available appropriate financial and other assistance to the countries of first asylum in order to enable them to continue to provide temporary asylum to refugees in their territories. (Hocke, 1986)

Why do refugees attempt to leave their country of first asylum? Are such two-step refugees simply fortune seekers? Is the West really threatened by massive flows of African refugees? As Mark Malloch-Brown (as quoted in Harrell-Bond and Karadawi, 1984) put it: "What is so distinctive about African refugees is this pride and determination to solve African refugee problems within Africa. It's unique..." Many people do seek resettlement—through both official or unofficial channels—because the rights of refugees enshrined in the 1951 convention cannot be realized in the country of first asylum: rights such as freedom of movement, employment, or higher education. It may also be that many refugees do not feel safe in their country of first asylum precisely because they fear the possibility of repatriation. Once again, because there is no data, it is not possible to substantiate this, but as one refugee explained, he was seeking asylum in Canada "because I am frightened of repatriation. I can even call it deportation..."

Governments of industrialized countries may be successful in preventing asylum seekers from arriving at their ports of entry; very few host countries in the so-called Third World have the capacity to seal their borders. The apparent failure of policy and the efforts of donors to reduce their financial commitments to refugee assistance have created an impossible dilemma for many host governments in Africa. As recent pronouncements by Sudan's prime minister illustrate, restrictive practices have indeed "spread like a contagion" (Buckoke, 1988, and see *London Times*, 17 March 1988).

REGIONALISM AS A PARTIAL SOLUTION

Along with the introduction of various practices aimed to prevent refugees from seeking asylum in the West, the policy of regionalization has been introduced. As with the policy to promote repatriation, has regionalism been introduced to serve the interests of governments, or those of refugees? The objective of this policy is to find "solutions" to the refugee problem within a region.

There is to date no information on how this policy is actually functioning. Some refugees in Nairobi expressed to me the fear that it is simply the basis for greater cooperation between governments, and not in their interest; they cited cases of refugees denied status in Kenya who were told to "find another country," even though they had nowhere to go. These refugees, I was told, were afraid that, if they went to Uganda, they would be rejected because their names would already have been made known to officials there.

The policy of regionalization is, however, rationalized on other grounds, on the (untested) assumption that refugees will be able to adapt more easily to the culture of a neighboring country than to that of an industrialized society. Where is the evidence?

There is a growing body of research which suggests that *all* communities which have been resettled—whether voluntarily or not—encounter difficulties in adjusting to life in a new social environment. (e.g., Colson and Scudder, 1987.) Aside from the fact that, for example, a refugee in the Sudan is likely to find large numbers of his compatriots, some

of whom may have already undergone the process of adapting to life in the host country, there is no evidence to indicate that, say, an Eritrean from the cool highlands, who speaks Tigrinia (which, incidentally, is written in a different script from either Arabic or English), practices Christianity, and eats different food, will have an easier time adjusting to the climate, culture and economy of the Sudan than to the conditions of an industrialized country.

Despite such radical adjustments which refugees in many parts of the world must undergo, there have been few, if any, language courses or cultural programs for refugees in developing countries.⁸ For refugees resettling in industrialized countries, it is assumed that such services must be made available.

PROMOTING REPATRIATION AS THE SOLUTION

The close of the period of anti-colonial wars in Africa was the occasion for the voluntary repatriation of large numbers of refugees back to their countries of origin. For example, refugees returned to Guinea-Bissau, Mozambique, Angola and Zimbabwe, as well as to Algeria after it gained independence.⁹ Today, however, donor governments have encouraged UNHCR to promote repatriation back to the very situations which caused mass exodus. As Stein (1986) has asserted, "Increasingly, voluntary repatriation will have to take place without a decisive event such as independence, without any political settlement between the contending parties, and without any change in the political regime that originally caused the flight."

In many of today's large-scale influxes, where entire communities or groups have fled, voluntary repatriation is the only realistic alternative to indefinite subsistence on charity. It is to this, therefore, that States must turn their attention first. The objective will be to promote a general improvement in the situation in the country of origin in order to create the necessary conditions for the voluntary return of refugees...There can be no doubt that if part of the impressive amount of some 1 to 3 billion dollars made available annually by the international community for all types of humanitarian activities the world over were to be used for development aid with particular reference to creating conditions conducive to voluntary repatriation this could indeed go a long way to making that solution feasible. (Hocke, 1986)

In Africa, Djibouti became the paradigm for the success of this solution (Crisp, 1984; see also Frelick, 1987).¹⁰ U.S. Ambassador Douglas visited the Sudan. He pressed the staff of the offices of both the commissioner for refugees and UNHCR to "look into the possibilities of encouraging *repatriation* after seeing the Djibouti experience (Crisp, 1984). And, already in 1981, while war was still raging in Uganda, \$4.1 million had been made available for the reception and rehabilitation of Ugandan refugees. In 1982 UNHCR began promoting the repatriation of refugees from Zaire and the Sudan (Harrell-Bond, 1986: 186).¹¹

As noted in the introduction, the current policy to promote repatriation evolved in the context of the concerns expressed by the donors over the increasing costs of maintaining

refugees, the fear that industrialized countries would be overwhelmed with numbers of asylum seekers, the economic and political pressures which refugees place on host governments, and the interests of the governments of the countries of origin. Because of the power of these converging interests—in which refugees become the pawns—it is argued here that UNHCR's role as the protector of refugees should not be compromised by taking any initiative in promoting their return. Refugees are, by definition, the most powerless, and UNHCR was established to represent their interests (Crisp, 1984; Harrell-Bond and Ortiz, 1987).

How is voluntary repatriation promoted? Initially, and without consultation with refugees, the "eagles consort." Tripartite agreements are initiated by UNHCR with the host government and that of the country of origin. The government of the country of origin is asked to give guarantees that refugees can safely return. These guarantees are usually couched in terms of an amnesty. (One might ask what law refugees have broken which requires an amnesty?) There is evidence to suggest that assistance is then stopped or the amount of rations is severely reduced (Harrell-Bond, 1986: 201; Ruiz, 1987; Harrell-Bond and Karadawi, 1984; *Refuge*, 1987).

Refugees are informed that it is now safe for them to return. (A question for research: Are refugees explicitly informed that no one other than their own state is responsible for their protection once they have crossed the border?) They are encouraged to sign repatriation forms. Their signature is supposed to be witnessed by a UNHCR official.¹² Transportation is provided and funds are obtained for UNHCR to mount a short-term relief program.

The practice of UNHCR establishing a presence in the country of origin in anticipation of repatriation, and to administer temporary assistance was, as Zia Rizvi puts it, "slipped" into the resolution at the UN General Assembly (Harrell-Bond and Karadawi, 1984). Reception centers are established to receive the returnees, and arrangements are made to provide an aid package—usually very similar to that which the people received during their first period of life in their country of asylum. For example, in 1983 returnees to Uganda received hoes, pangas, blankets, plastic cups, bowls, plates and basins, and it was intended at that time to provide them with food rations for only three months (Harrell-Bond, 1986: 189). In 1986, when refugees were forced by the war to return home from the Sudan, food rations for returnees were programed for six months. In fact, due to disturbances within Uganda, for several months returnees relied on food which they could retrieve from across the border in the Sudan, and many were reduced to eating wild foods (Harrell-Bond and Kanyheihamba, 1986; Ulf sax, 1986).

A UNHCR inter-office memorandum (No. 5) states that in large-scale repatriations where it is "difficult or even impossible to establish the voluntary character of the repatriation on an individual basis," it may be necessary to "work out special arrangements"; one such arrangement mentioned being the presence of independent observers.¹³ Independent academic research would be an ideal way to monitor repatriation and returnee programs. Early on in the Djibouti experiment, however, when two academics, funded by the Ford Foundation, did attempt to provide such services, they were handed a deportation order after being in the country only a few hours (Wilsher, 1983).

REPATRIATION: IS IT VOLUNTARY OR UNDER DURESS?

It should also be recognized that efforts to implement voluntary repatriation, even if initially on a more modest scale, may in themselves promote conditions for a more far-reaching solution. If, for example, the country of origin and the country of asylum could agree, despite their political differences, to the voluntary repatriation say, only of the most vulnerable groups such as the elderly, the handicapped, the unaccompanied minors, etc. this would demonstrate in political terms that despite the continuation of the conflict, the two states are willing as it were to insulate the problem. (Hocke, 1986)¹⁴

In his discussion of UNHCR's program, which failed to convince Chadian refugees to go home, Ruiz (1987) pointed out that "the line between encouragement and promotion of voluntary repatriation and pressure to repatriate may not always be a clear one." In this case, according to Ruiz, aid was cut off to successful settlement programs in Darfour, but despite this, and because they were genuinely afraid to return, the refugees refused to budge.¹⁵

Underlying most assumptions concerning the role of humanitarian agencies in assistance programs for refugees is the belief that material aid has the power to move populations. Aid, it is believed, can attract people from point *a* to point *b* and back again to point *a* (Aga Khan, 1981). This belief introduces serious contradictions into UNHCR's "solution approach" to assisting refugees which should, on the face of it, and according to Grahl-Madsen (1980), be mutually exclusive. On the one hand, to prevent mass starvation, aid is obviously needed; yet to provide assistance risks that yet more people will be attracted across borders. A delicate balance must be struck. Aid must be evenly distributed on a per capita basis, and assistance should not be so generous to make the refugees better off than their hosts. Too little assistance and the humanitarian community gets a bad name. And, in fundamental contradiction with the emphasis upon integration as a permanent solution, too much assistance and the refugees will be encouraged to settle down in the host country.

In its guidelines (UNHCR, 1987), the office of the UNHCR very clearly spells out this contradiction to its hapless new protection officers. Protection officers are reminded that UNHCR's statutory functions are to provide international protection and to seek permanent solutions. To carry out such "solution orientation" work effectively, the guidelines suggest, protection officers would need to equip themselves with a crystal ball in order to *predict*, at the outset, the outcome of a particular conflict which has produced refugees before deciding on which "solution" they will concentrate their efforts. They are reminded that:

the gearing of material assistance to the most likely durable solution in mind (be it voluntary repatriation, local settlement or even, exceptionally, resettlement) is inextricably interwoven with protection objectives. Without such a solution orientation, there is an obvious risk that a pattern of assistance may be established that could impede the achievement of an eventual durable solution e.g. where voluntary repatriation is considered to be the most appropriate solution eventually,

efforts actively to review the possibilities for obtaining it must continue at regular intervals and, obviously, measures such as third country resettlement are to be avoided. (UNHCR, 1987)

VOLUNTARY REPATRIATION

Given the general emphasis which is being placed upon the promotion of repatriation, it is not surprising that we find more attention now being paid to the phenomenon referred to as "spontaneous" repatriation. Coles (1985) and, although there is no research to substantiate the claim, Cuny and Stein (1988) assert:

Each year tens or hundreds of thousands of refugees decide to repatriate spontaneously without the assistance of international organizations and outside the framework of protection... Spontaneous repatriation occurs without a promised amnesty; without a change of regime or decisive event; without a repatriation agreement or program; without the permission of the authorities in the country of asylum or origin; *without international knowledge*; without an end to the conflict that causes the exodus. It is based on the decision of countless individual refugees that they can return home... (emphasis added)

From the point of view of most African refugees, the *promotion* of voluntary repatriation would seem to be a contradiction in terms. Most refugees do want to go home and, as the scanty evidence available suggests (Harrell-Bond, 1986; Harrell-Bond and Kanyhehamba, 1987), refugees who return when conditions at home permit it do so *with or without transport or material assistance*. And in some cases, certain groups of refugees, as in the case of the Ugandans, do return "spontaneously" even before conditions are conducive (Harrell-Bond, 1986: 186-201). How many survive is again unknown.

Rizvi argues that it is in the interest of the state to allow "somebody else" to take responsibility for the successful reintegration of returnees. He says that "we must work for the acceptance of the principle of international protection for the individual in his own country, not only in a physical sense, but also to promote the general climate required by a community to reintegrate itself" (as quoted by Harrell-Bond and Karadawi, 1984). But as he himself so eloquently describes, resolving the problems which will face returnees is far beyond the capacities of any international organization, much less one which limits its involvement to dispensing relief for a short period, and has no authority or power to ensure their peaceful reintegration into their home community.

If a person is going home...then all that goes with that idea must be intact for the person to be reintegrated. Integration of a returnee will be fraught with problems. Rivalries, for example: 'A neighbour who was a refugee, had a good time getting free food, now has come back.' His arrival will affect the market, fields will be further divided, he may be looked on as a traitor. 'Now all of this is of relevance to the individual and it is going to cause social conflict...' If voluntary repatriation is to be the primary solution, then the process must be taken care of from A to Z. (Harrell-Bond and Karadawi, 1984)

The West Nile region of Uganda had been almost totally depopulated during the war. However, more of those who had been internally displaced—the "stayees" as they termed themselves—managed to get back "home" before the returnees arrived. Once in power, the Museveni government had ordered local communities to set up resistance committees which were, among other things, responsible for distributing scarce commodities at a controlled price. In West Nile, they had also assumed responsibility for law and order.¹⁶ Wherever one travelled in Uganda, "stayees" expressed varying degrees of hostility towards refugees and returnees, whom they imagined had lived a comfortable life in exile. In Moyo town, a Madi-speaking area where formerly the market had been dominated by Lugbara-speakers, it had been decided that, in the future, no Lugbara would be permitted to set up a stall in the town. It is hard to imagine how any international organization would be able to resolve such a problem in a peaceful manner.

West Nile District is the focus of a considerable amount of international assistance from sources other than UNHCR's returnee program. This area, like the centers in Ethiopia to which refugees are being returned from Djibouti and Somalia (Billard, 1987), should be subjected to independent research as a means of establishing just how development aid might be used to create what Hocke (1986) calls "conditions conducive to voluntary repatriation."¹⁷

CREATING CONDITIONS CONDUCTIVE TO RETURN: WHO IS RESPONSIBLE?

In spite of some of the recent expulsions which have occurred, the record in Africa of a willingness to accommodate strangers, whether the cause of their movement was voluntary or involuntary, has generally been exemplary. The idea of large numbers of people, labelled refugees, who have not been incorporated into the host society in Africa is relatively new. Elsewhere (de Voe, 1981; Harrell-Bond, 1986: 6, 12; Harrell-Bond and Ortiz, 1987; Harrell-Bond et al., 1988; Zetter, 1987) it has been argued that the international system of states is in itself a major factor, making and perpetuating refugees as a problem in Africa and elsewhere.

Refugees are outside the state-centered concept of international law. Indeed 'refugee' is a concept, a label, which has been created to serve the purposes and interests of states. Refugees have been defined as non-citizens and those who have been captured by the state-sponsored assistance programmes have been frozen in a permanent state of marginality in their host societies. As non-persons they are not consulted in the development of policies which affect their futures. (Harrell-Bond et al., 1988)

Who is responsible for creating conditions conducive to the return of refugees? Some would argue that until the structural defects of the world states system have been corrected, Africa, and indeed all of the poorest regions of the world, will continue to be overwhelmed by refugees (Schultheis, 1983). There is no sign of the world system being changed in the near future; rather there is more and more evidence in Africa of an escalation of the retrogressive process.

As we have seen, there is a general movement among the "eagles" to reduce the basis of defining a refugee to the terms laid down in the 1951 convention. However, as Shackenove (1985) has argued, "Persecution is...just one manifestation of the absence of physical security." He persuasively argues against the tendency to dismiss as abusive those people who claim refugee status because of what are defined as "natural disasters." He emphasizes the well-known¹⁸ connection between the political and economic arrangements of a state and its ability either to minimize the human consequences of such disasters or to accentuate their effects. "To the extent that a life-threatening situation occurs because of human actions...the state has left unfulfilled its basic duty to protect the citizen from the actions of others" (see also Hansen, 1988).

In exchange for their allegiance, citizens can minimally expect that their government will guarantee physical security, vital subsistence, and liberty of political participation and physical movement. No reasonable person would be satisfied with less. Beneath this threshold the social compact has no meaning. Thus, refugees must be persons whose home state has failed to secure their basic needs...because all of these needs are equally essential for survival, the violation of each constitutes an equally valid claim to refugeehood. (Shackenove, 1985)

As he notes, in order to prevent refugee flows, that is, to resolve the causes of their exodus, states must, in exchange for the allegiance of their citizens, provide them the guarantee of physical security and the elements of a minimal subsistence, i.e., unpolluted air and water, adequate food, clothing and shelter, minimal preventive health care and, as noted above, the liberty of political participation and physical movement.

In situations where subsistence is threatened because of inadequacies in technology, infrastructure, or distribution—all factors within human control—the state has failed to perform its basic duty to protect its citizens from the actions of others. (Shackenove, 1985)

Shackenove argues for recognition as a refugee every person "whose government fails to protect his basic needs, who has no remaining recourse than to seek international restitution of these needs, and who is *so situated that international assistance is possible*." (Shackenove, 1985, emphasis added.) However, as he observes, the idea of raising the standard of basic needs as the basis for defining refugee status raises "a frightening spectre" which may threaten the already fragile refugee regime. In part, his discussion aims to help UNHCR sort out its particular responsibility in providing international assistance to refugees, and to argue that its programs include all those whose basic needs are unprotected by the state (and who are accessible to international assistance), whether or not they have crossed a border.

However, what has been forgotten in the discussions among the "eagles," and is also pointed out by Shackenove, is that it *is already* within the power of most states to prevent refugee flows. In a great many cases, as he also argues, most states could provide for the basic needs of their people even without greater resources than are already available.

None necessarily requires extensive capital investment, specialized knowledge, heroic governmental efforts, or saintly sacrifices by the local affluent in order to sustain a minimal level of subsistence. A hoe may be an altogether satisfactory tool for processing a resource, and a footpath may suffice as a conduit for commerce. Similarly, a minimally satisfactory method of distribution (where no one suffers from a severe protein/caloric deficiency) is consistent with extensive inequalities of wealth

Therefore, if states want their people to return, *they* must create conditions which are conducive.

Repatriation should not be promoted until the causes of flight are removed. Unfortunately, so long as assistance is given unconditionally to those governments which produce refugees, on the grounds that it will overcome the economic and political conditions which are unconducive to return, mass movements of desperate people are likely to continue. Like "humane deterrence," the idea that it is acceptable to return people to situations of "low intensity conflict" which are ruled by a predatory state should be anathema to anyone—even an eagle—who regards himself part of civilized society. The promotion of repatriation under such conditions is unlikely to reduce the numbers of refugees in the world.

CONCLUSION

Although this essay has argued for more research, a caveat must also be introduced; sources funding academic research may influence—even determine—the topics which are studied (Berman, 1984). Researchers must ensure that they are able to maintain their independence. This is difficult in the current situation, where most of the funding available for refugee research is controlled by governments, or other sources which serve their interests.

Consultancies for governments or agencies have become one (very lucrative) way to obtain funding for studies, and there is a growing army of unemployed academics who have turned consultancies into an industry. With the increasing financial pressure faced by many universities, many departments also rely on obtaining consultancies for their survival.

Unless the consultant is an established scholar with long experience of a people and an area, it is unlikely that useful findings will result. The short-term nature of most consultancies and the limits of the terms of reference of such assignments mean that rarely will a researcher have time actually to study the community concerned. Most consultants rely almost entirely on guided tours, interviews and documents available in the country, rather than actually conducting field research (Chambers, 1983).

When information is needed, why is it that governments and international agencies prefer to rely on short-term consultants? No doubt there are several reasons, but what is of most concern to the situation of refugees—for whom research is potentially an authentic "voice"—is that normally the funders retain control over the dissemination of the results of such research. The terms of most contracts include the requirement that the

researcher sign away his independence by promising not to publish—at least not without permission. Such permission is unlikely to be forthcoming if the results criticize the work of the funder.

If research does not find its way into the public domain, there is no accountability. The organization funding the research may simply shelve the results. The work of such academics will not therefore be subject to peer review, nor will their professional career be affected by the quality of the work, either positively or negatively. The temptation to avoid criticism, however constructive, is great when economic survival depends on this source of employment.

Throughout this essay, the ideas that repatriation be promoted by governments when the conditions which led to the exodus have not changed and that UNHCR be involved in these exercises have been severely criticized on a number of grounds. Although UNHCR was created to protect the interests and rights of refugees, this policy has placed it in the invidious position of promoting the interests of governments. They are: 1.) donors whose funds maintain its offices; 2.) the governments who are vulnerable to the economic and social pressures of hosting vast numbers of refugees; and 3.) the governments whose policies created the refugees in the first place, who have a stake in any policy which will reduce international criticism of their human rights record over the human rights record of the refugees.¹⁹

As has been argued, this method of eliminating the refugee problem has been primarily instigated by the donors who, on the one hand, and largely because of racism²⁰ within their own societies, are themselves unwilling to share the burden of hosting the vast numbers of refugees in the world; and on the other, wish to reduce the costs of assistance. The evidence that in at least one case, the Sudan, one donor government has actually sought to co-opt a host government into promoting the policy of repatriation is most alarming, endangering as it does the long tradition of hospitality towards strangers which, despite extreme poverty, this country and most African societies have demonstrated.

In the absence of information concerning the practice of the policy of "regionalism," questions have been raised as to how it will affect refugee interests. Regionalism may negatively affect their interests by strengthening cooperation among governments of first asylum, neighboring governments and governments of origin. Given the motive—to prevent the further movement of refugees to the industrialized world—will it simply be the instrument for spreading the contagion of restrictionism?

The paper has also criticized the premises upon which the policy to promote repatriation has been justified, suggesting that these beliefs have never been tested by independent research. These include the belief that most refugees today do not have a legitimate claim for asylum, that they have been "pulled" out of their countries by relief, and that they can be "pulled" (or pushed) back home again if minimal assistance is simply transferred to the other side of the border.

The refugee's predicament is not one which can ever be "solved." As is the case with all profound human experiences, those traumas and changes in life circumstances which people undergo during the period of their lives when they bear the status "refugee" will always have some bearing on their psychological health, as well as on their social relations, in whatever community they live. It is rarely possible for the state or any agency

to implement an approach to assistance which leads to the full restoration of the economic, cultural and social life of those who have been displaced to a level similar to the one prior to their displacement.

Life in exile may mean that a person lives in a state of permanent social alienation, suffering serious psycho-social problems, the result of his individual experience of loss of a community which can never be satisfactorily reconstituted among strangers. On the other hand, the necessity to adjust to an alien culture may constitute an optimum condition for the release of enormous creative energy (Jonas, 1988; Eisenbruch, 1988). The reactions of individual refugees to such situations will be varied and, given the present state of knowledge, unpredictable.

It has also been argued that it is within the power of most African states—even without greater resources—to provide for the basic needs of their citizens, but this will mean radical changes in the policies of most governments which have produced refugees. Donor governments, in their anxiety to eliminate the problem of mass exodus, have erred in the belief that assisting governments of origin, whatever their human rights record, will create conditions conducive to return. Even the limited evidence from Africa suggests that such programs will not only be ineffective, but will encourage human rights violations, lead to greater human suffering, and will never staunch the flow of refugees. Rather than lowering the standards defining refugee status, the international community should assume greater responsibility for the structural defects in the world economic system and for the arms race, which create unconducive conditions of life for so many millions of people today.

It seems reasonable to assume that "reintegration" into one's home community after repatriation is more likely to be successful than integration into a community of strangers, but this has never been empirically tested. What is fundamental to natural justice is that people have the choice—to remain in exile, or to return to their homes, *wherever* conditions are most promising.

NOTES

1. I would like to thank the many people who read and commented on this paper at different stages of writing. They include Ahmed Karadawi, Patricia Daley, Professor Art Hansen, Dr. Roger Zetter, Belinda Allen, Stephanie Grant, Professor Gil Loescher, Dr. Maknun Gamaledin-Ashami, and Antony Polaso. I am particularly grateful to Sally Baden, my research assistant, for her bibliographical work.

2. Joseph Akol (1986) has written a doctoral dissertation on Sudanese who returned home in 1979. His findings provide a significant basis for further study. Perhaps the most interesting finding reported by Van Krieken (1988) is that "refugees who spend extended periods in wholly dependent camps can expect to experience greater levels of difficulty in re-integrating into their home areas after repatriation." Some years ago, Christopher Terrill, Department of Anthropology, University of Durham, conducted doctoral research on returnees on the east bank of the Nile, Equatoria Province, southern Sudan.

3. In many African states, it is the government, not the academic community, which determines who shall conduct research and on what topics. There is evidence that not only are some governments resistant to independent research on refugees, but also that humani-

tarian agency staff have discouraged independent academic studies. (Personal communication with Abebe Jima and Dr. William Headley)

4. ICARA II was an attempt to encourage governments to give funds for development projects designed to improve conditions in refugee-affected areas. The response of donors in 1984 was very poor. Since that time, however, some projects have been funded, for example, by the Dutch government in Kassala town (Kuhlman et al., 1987). The EEC Article 204 also designates money to be set aside to assist refugees, returnees and their hosts. Jacques Cuenod, formerly director of Euro-Action Accord, has proposed a new trust fund and international organization to implement programs which would benefit regions affected by refugees. ICVA is considering sponsoring this new organization.

5. The very limited evidence available from photographs—taken by Mr. Jeremy Lester MP on an official tour—would suggest that returnees to Ethiopia have been placed in locations which are either relocation centers or part of the government's program of villagization. (See Clay and Holcomb, 1984, for indirect evidence of the security situation in these centers.)

6. Unassisted refugees in Tanzania faced the same problem (Daley, 1987).

7. There was general reluctance to allow the development of another expensive UN organization. The U.S., which has traditionally made the highest contributions towards refugee assistance, supported other agencies, perhaps because it believed it could exercise greater control than through a UN organization (Personal communication, Gil Loescher).

8. Ugandan refugees in the Sudan requested instruction in Arabic. It was not provided. Many of their stereotypes about their hosts, i.e., that Sudanese farmers were lazy, which contributed to conflicts between them and their hosts, could have been avoided had they been given information about the ecology, geography and culture of the area in which they were settling.

9. The first major voluntary repatriation program in the 1960s, in which the office of UNHCR also became involved to a limited degree, was the return of Algerians from Tunisia and Morocco. This largely spontaneous movement was assisted by the concerned governments and the League of Red Cross Societies. Even in this case—where there was little likelihood that refugees were not eager to return home—special precautions were instituted to ensure the willingness of individuals to return.

10. See Wilsher (1983), Neussner (1988) and "Report on the Djibouti Refugee Situation," *Refuge* Vol. 6, No. 4, 1987. The latter is an anonymous report of an independent mission to Djibouti to investigate allegations that the repatriation program that resumed again in 1985 was not voluntary. At a meeting of the Africa Committee, British Refugee Council, UNHCR defended the program against this allegation. The agency which funded the mission, however, continues to support the validity of the findings of this report.

11. A new agreement was reached with Zaire and Uganda in 1984. This plan for repatriating Ugandan refugees was first made public at the Oxford University 1984 International Symposium, "Assistance to Refugees: Alternative Viewpoints." A leaked document was read out which reported on a meeting between representatives of UNHCR and the Zairean and Ugandan governments (significantly, the Sudan government did not attend); one line in this document suggested that withdrawal of aid might be used to encourage repatriation: "Handouts in the countries of asylum should be kept to a minimum and refugees treated similarly to nationals wherever possible" (Harrell-Bond and Karadawi, 1984).

In a study conducted in 1983, Ugandan refugees in the Sudan were asked to express their attitudes concerning their future. The emphasis of the question was on whether they hoped to return home "in the near future." Only 3.3 percent of the respondents indicated

their willingness, without any qualifications, to return home at the time. On the basis of the responses to this survey it was calculated that, in 1983,

UNHCR could have expected a favourable response from nearly 4,000 people to their plans to repatriate Ugandans. 13.5 per cent of the respondents replied that they would prefer to stay in the Sudan. All of the rest asserted that they were only willing to return when the political/military conditions in Uganda were radically improved. (Harrell-Bond: 200)

Whether or not those who expressed the view at the time of the interview that they would *never* return to Uganda predicted behavior can only be discovered by investigating whether or not these same people finally settle permanently in the Sudan, their host country.

12. For a description of how these procedures were handled among the Ugandans in 1983, see Harrell-Bond (1986: 187-200). In Djibouti, it was argued that it was not always necessary to consult individuals; traditional leaders could sign on behalf of groups!

13. Unfortunately, and despite the bitterness (cf. note 9) which has been expressed as a result of publications criticizing the manner in which repatriation programs have been conducted, arrangements for independent observers were not made in Djibouti or southern Sudan.

14. Such a recommendation is indeed remarkable. Very few countries have state-funded facilities for dealing with vulnerable groups. In Africa, "the halt, the lame, and the blind" are normally cared for by members of the extended family. Even if a government accepted such a scheme, as with the settlement program, such an approach to stimulating repatriation would likely have deleterious effects upon social norms (Harrell-Bond, 1986: Chapters 6 and 7).

15. Even if refugees risk collecting assistance on the other side of the border, it does not mean they intend to remain in the locality in which it is distributed. Questioning the effectiveness of aid to encourage repatriation, one Sudanese government official reported on his analysis of some documents which were said to "prove" the numbers of refugees who had returned to Uganda. The proof was based on the numbers who had received assistance. He compared these numbers with those who were arriving in the Sudan at the same time.

It turned out that in fact the figures were almost exactly identical. What was the conclusion of this?...Refugees who were under pressure in Zaire...did pass through the [Ugandan]...relief centres, did receive this assistance...and used it to cross the border into southern Sudan. (Harrell-Bond and Karadawi, 1985)

16. In October 1986, while visiting West Nile District, I met a number of Ugandans at Yumbe whom I had known in the Sudan. We visited the market where two alleged thieves were being tried by members of the National Resistance Committee; the sentence: 25 lashes. As the sentence was being meted out, one of the returnees standing beside me remarked that if this was how they were to be treated, they would return to the Sudan. By any standards, 25 lashes constitutes cruel and inhumane punishment, a fact which I pointed out to the local chief the next day. He, now only a member of the National Resistance Committee, no longer had authority. The political officer of the NRC denied the committee's responsibility, saying it must have simply been some group of people who assumed the right to exercise authority. The chief asked me why I had not interfered. I admitted I had been afraid because of the many armed soldiers who were among the crowd of observers.

17. Even if sufficient money were available to UNHCR to support the stabilization of

internal economic conditions—presuming money would accomplish the objective—there is danger it would be given to governments to support programs which are contrary to the interests of the returnees.

18. See, for example, Independent Commission on International Humanitarian Issues, 1985.

19. What is UNHCR's responsibility when conditions are conducive for refugees to repatriate; for example, if negotiations are successful and many Afghans are willing to return home? Under such conditions one would argue that UNHCR's first duty is to those refugees who, for whatever reason, do *not* want to return. Assistance programs should continue in the country of asylum at the same time as rehabilitation work is being carried out in the home communities. Given the amount of tension which exists in many situations between host communities and refugees, repatriation programs can trigger open hostility and acts of violence against refugees. For example, Ugandans reported that when Sudanese realized that refugees were going to repatriate, there were many incidents of looting.

20. Many would argue that the increasingly restrictionist policies of industrialized countries are the result of the current economic situation, not racism. It is beyond the scope of this essay to address this debate. Perhaps it is sufficient to note the rumor that Britain has a contingency plan for receiving nearly one million white South African asylum seekers, and to ask if there are similar plans for receiving similar numbers of Chinese from Hong Kong during the next decade.

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